

Message Text

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ORIGIN EB-07

INFO OCT-01 ARA-06 ISO-00 CIAE-00 COME-00 DODE-00 DOTE-00

FMC-01 INR-07 NSAE-00 CG-00 OFA-01 DLOS-04 /027 R

DRAFTED BY EB/TT/MA:SVSMITH/ARA/CEN:MJPLATT

APPROVED BY EB/TT/MA:RKBANK

ARA/CEN:MPLATT

FMC:WJSMITH (SUBS)

STR:SCOFFIELD (SUBS)

EB/STA:BBISHOP

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P 182304Z NOV 75

FM SECSTATE WASHDC

TO AMEMBASSY GUATEMALA PRIORITY

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E.O. 11652: N/A

TAGS: EWWT, GT

SUBJECT: GUATEMALAN SHIPPING DISCRIMINATION

REF: (A) GUATEMALA 6346; (B) GUATEMALA 6015;
(C) GUATEMALA 6428

1. DEPARTMENT HAS CONSULTED WITH BOTH FEDERAL MARITIME COMMISSION (FMC) AND SPECIAL TRADE REPRESENTATIVE (STR) ON GOG REQUEST FOR A DELAY IN DECISIONS ON GUATEMALAN DISCRIMINATION CASE.

2. STR ACTION OFFICER REPORTS THAT GUATEMALAN EMBASSY HAS ENGAGED COMPETENT LEGAL REPRESENTATIVE IN WASHINGTON, AND STR IS WORKING CLOSELY WITH REPRESENTATIVE TO ACQUIRE NECESSARY DOCUMENTATION. STR EXPECTS TO HOLD POLICY DISCUSSIONS ON THIS MATTER DURING DECEMBER AND DOES NOT ANTICIPATE ANY PUBLIC ACTION BEFORE DEC. 31, PARTICULARLY

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IF STR BECOMES CONVINCED THAT GUATEMALAN EFFORTS TO

RESOLVE THIS ISSUE ARE GENUINE. DEPARTMENT WILL KEEP STR AND FMC INFORMED OF DEVELOPMENTS AS LEGISLATIVE PROCESS IN GUATEMALA UNFOLDS.

3. FMC IS FULLY APPRAISED OF EMBASSY BELIEF THAT AFTER MUCH DELAY SOME POSITIVE ACTION IS BEING TAKEN BY GOG. HOWEVER, DEPARTMENT BELIEVES IT UNLIKELY THAT COMMISSION

WILL AGREE TO ANY FURTHER DELAY IN ACTION. POSSIBLE SCENARIO IS THAT FMC, POSSIBLY AS EARLY AS NOVEMBER 21, WILL FORMALLY REQUEST DEPARTMENT'S ASSISTANCE IN RESOLVING PROBLEM DIPLOMATICALLY. OFFICIAL REQUEST WOULD PROBABLY BE COUPLED WITH COPY OF PROPOSED EQUALIZATION REGULATIONS WHICH ARE TO BE IMPLEMENTED IF DIPLOMATIC PROCESS FAILS. THERE WILL BE A SPECIFIED PERIOD OF TIME TO REACH A SOLUTION. WE BELIEVE FMC WILL ALLOW 60 DAYS. FMC WOULD NOT, REPEAT NOT, MAKE THEIR FORMAL REQUEST TO THE DEPARTMENT PUBLIC, AND SINCE IT IS NOT A CLASSIFIED MATTER, GOG COULD BE INFORMALLY ADVISED OF DEADLINE AND OF PROPOSED EQUALIZATION REGULATIONS, AND TOLD THAT USG HAD DECIDED NOT TO PUBLICIZE THIS DECISION SO AS TO GIVE GOG ADDITIONAL TIME REQUESTED BY FOREIGN MINISTER TO RESOLVE PROBLEM. FYI. DEPARTMENT BELIEVES THAT SHOULD GUATEMALANS MAKE DEMONSTRABLE PROGRESS TOWARD RESOLVING PROBLEM OF DISCRIMINATORY LEGISLATION BY MID-JANUARY, FMC WOULD BE SYMPATHETIC TO ALLOWING A LIMITED AMOUNT OF ADDITIONAL TIME TO RESOLVE ISSUE BEFORE PUBLISHING ITS EQUALIZATION REGULATIONS. END FYI.

4. ACTION REQUESTED: WOULD APPRECIATE YOUR CONTINUED REPORTING ON DETAILS OF PROPOSED GOG LEGISLATION AS THEY BECOME KNOWN. INGERSOLL

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